

Appl. No. 10/700,100
Amdt. Dated August 9, 2006
Reply to Office Action of June 12, 2006

Attorney Docket No. 81784.0289
Customer No.: 26021

Amendments to the Drawings:

The attached sheet of drawings includes Fig. 1. This sheet replaces the original sheet which included Fig. 1. In Fig. 1, the reference numbers --30-- and --32-- have been added to identify the reading section and the access restricting section respectively.

Attachment: Replacement Sheet

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REMARKS/ARGUMENTS

Claims 1-11 were pending in the Application. By this Amendment, claims 1, 3, 4, 6, 8, 9 and 11 are being amended, claims 2, 5, 7 and 10 are being cancelled, and new claim 12 is being added, to advance the prosecution of the Application. No new matter is involved.

In Paragraph 3 on page 2 of the Office Action, the drawings are objected to for failure to show a reading section and an access restricting section which are features set forth in the claims. In response, Applicant is amending Fig. 1 to add a reference number --30-- to identify the reading section, and to add a reference number --32-- to identify the access restricting section. Pages 9 and 13 of the Specification are being amended to describe the reading section 30 and the access restricting section 32. A replacement sheet for Fig. 1 which includes the reference numbers --30-- and --32-- is enclosed herewith.

Regarding the reading section 30, it should be clear that the section is comprised of a combination of the control unit 10, the optical system control unit 16, the optical head 18, the ATIP decoder 20, the data decoder 22, the motor control unit 24, and the spindle motor 26, which are shown in Fig. 1.

Regarding the access restricting section 32, it should be clear from the drawings and description that such section is implemented by causing the control unit 10 to perform the process shown in Fig. 6, thereby controlling the reading section 30.

Therefore, the drawings, as amended, and as supported by the Specification, as amended, provide the necessary disclosure of the reading section and the access restricting section set forth in the claims.

In Paragraph 4 which begins at the bottom of page 2 of the Office Action, claims 9-11 are rejected as non-statutory subject matter for being drawn to a

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“program” per se. As stated at the top of page 4 of the Office Action, a program stored on a computer readable medium and also a program that causes a computer to actually perform or execute the process steps with either tangible results or physical transformation is required in order to be statutory.

In response, Applicant is amending the preamble of claim 9 in order to recite “An optical disk drive security control computer readable recording medium storing a program”. As so amended, claim 9 is directed to statutory subject matter. Similar comments apply to claim 11 which is being amended to incorporate therein claim 9 including the amended preamble thereof. Claim 10 is being cancelled.

In Paragraph 5 on page 4 of the Office Action, claims 9-11 are rejected under the second paragraph of 35 U.S.C. § 112 as being indefinite. More specifically, such claims are said to be confusing and unclear, inasmuch as it is not clear what the steps of reading security information and determining correct security information are doing and achieving what kind of concrete results. In response, claim 9 is being amended for clarification by adding limitations similar to those contained in claim 1 so as to recite “further including the step of restricting access so as to restrict reading of data to be read, based on the correct security information determined in the step of determining correct security information”. Claim 10 is being cancelled, and claim 11 is being amended to add a similar limitation. Therefore, such claims are submitted to be clear and definite.

In Paragraph 6 which begins on page 4 of the Office Action, claims 1-8 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,765,852 of Van Den Enden. This rejection is respectfully traversed, particularly in view of the claims as extensively amended herein.

In Paragraph 14 which begins at the bottom of page 6 of the Office Action, claims 9-11 are thought to contain allowable subject matter but no statement can be

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made because of speculation required to interpret such claims due to their indefiniteness. However, as described above, claims 9 and 11 are being amended to obviate the basis for rejection thereof on the grounds of indefiniteness, so that such claims should now be allowable.

Regarding the rejection of claims 1-8 as anticipated by Van Den Enden '852, such reference discloses a technique for improving the accuracy in reading a disc-ID by storing the disc-ID at a plurality of locations on a recording medium, such as an optical disk (Figs. 1, 4, and 5, and lines 40-52 of column 3, and line 66 of column 5, through line 13 of column 6). More specifically, Van Den Enden discloses a structure wherein disc-ID bits are recorded in the same perpendicular position in a plurality of tracks on a disk so as to be less susceptible to damage in the tangential direction of the disk (column 3, line 64 to column 4, line 12). Van Den Enden further discloses a structure wherein error detection is performed by recording a check sum or an error correcting code in addition to the disc-ID (see lines 58-65 of column 5). Van Den Enden also discloses a structure wherein the disc-ID is recorded at a plurality of locations on a disc in a direction perpendicular to the tracks of the disc, thereby allowing the disc-ID to be read reliably (see lines 36-67 of column 6), and further discloses a structure wherein the read disc-ID is used to control access to the disc (see line 5 of column 7 to line 26 of column 8 and especially lines 6-16 of column 8).

However, Van Den Enden does not disclose features in accordance with the present invention of comparing bit values read as the security information from a plurality of locations for each column of bits, and selecting a bit value with the highest frequency in each column of bits as a correct bit value in the column of bits, as defined in claims 1, 6 and 9 as amended herein. Nor does Van Den Enden disclose the feature in accordance with the invention of correcting the security

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information based on the error frequency obtained by the error detection section, as defined in claims 3, 8 and 11 as amended herein.

In the case of claim 1, such claim is being amended by adding the limitations of claim 2 thereto with claim 2 being cancelled in view thereof. Claim 6 is being amended by adding the limitations of claim 7 thereto, with claim 7 being cancelled in view thereof. Claim 9 is being amended by adding the limitations of claim 10 plus an additional limitation discussed above, with claim 10 being cancelled in view thereof. As so amended, these claims clearly distinguish patentably over Enden which does not disclose or suggest the feature of comparing bit values read as the security information from a plurality of locations for each column of bits, and selecting a bit value with the highest frequency in each column of bits as a correct bit value in the column of bits.

Claim 3 is being amended by adding the limitations of claim 1 thereto. Claim 8 is being amended by adding the limitations of claim 6 in its previous form thereto. Claim 11 is being amended by adding the limitations of claim 9 thereto and by adding a further limitation discussed above. As so amended, these claims clearly distinguish patentably over Van Den Enden which does not disclose or suggest the feature of correcting the security information based on the error frequency obtained by the error detection section.

Claim 4 which is being amended in order to depend from claim 3 contains all the limitations of claim 3 and is therefore submitted to clearly distinguish patentably over the prior art for similar reasons. New claim 12 is similar to claim 4 but depends from claim 1 and contains all of the limitations thereof, so as to also clearly distinguish patentably over the prior art.

In conclusion, the reasons for objection and rejection of the drawings, the claimed subject matter and the claims have been removed, and claims 1, 3, 4, 6, 8,

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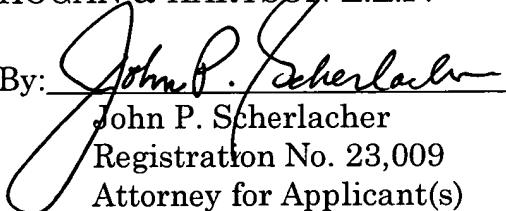
9, 11 and 12, which are the remaining claims, are submitted to clearly distinguish patentably over the prior art for the reasons set forth above. Therefore, reconsideration and allowance are respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6846 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: August 9, 2006

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